

Edited by Ken Edgar and Tom Failla

Present: Jane Connolly, Chairman; Don Saltzman, Ken Edgar, Britta Lerner, Jim Carlon, Sally Korsh, Tom Failla

Also Present: Land Use Director

SPECIAL MEETING

Meeting digitally recorded 1/27/14

**RECEIPT OF APPLICATION: APPLICATION FOR SPECIAL PERMIT FOR LIMITED HOME OCCUPATION INVOLVING INSTALLATION OF A COMMERCIAL CATERING KITCHEN IN EXISTING OUTBUILDING, 71 NEWTOWN TURNPIKE (P.COLE SMITH) (SPECIAL PERMIT REQUIRED BY SECTION 343.4 OF THE ZONING REGULATIONS)**

Phoebe Cole Smith, who is a farm to table chef, came forward to present her special permit application for a limited home occupation involving installation of a commercial catering kitchen in an existing outbuilding at 71 Newtown Turnpike. She explained, in detail, her request for the catering kitchen including her needs and who she serves. The outbuilding was a garage and never a residence and is approximately 575 square feet. After discussion, the Commission requested that the Land Use Director confer with the Town Attorney regarding the permanence of a special permit, should one be granted. Also the members asked questions related to traffic, parking, water use and remediation, waste disposal, composting, odors, deliveries, shipments and vehicle use connected to the operation.

Don Saltzman moved that the Commission receive the application of Phoebe Cole Smith for a special permit for a limited home occupation involving installation of a commercial catering kitchen in an existing outbuilding at 71 Newtown Turnpike and to conduct a public hearing on February 3, 2014. Seconded by Britta Lerner. Vote in favor 7-0.

Ken Edgar summarized for the applicant's information that the Commission was required by its Regulations to consider the traffic impact, parking plan, any noise or odor being generated by the kitchen operation (including its hours of operation) as well as the vehicles used in connection with the catering operation. The Chairman drew the applicant's attention to Section 330 et seq. of the Regulations and in addition suggested that the members walk the site individually.

**DISCUSSION/DECISION: APPLICATION FOR APPROVAL OF LOT DEVELOPMENT PLAN, 11 HILL CREST LANE, LOT 5, BARCELLO SUBDIVISION (LAND TECH)**

Peter Romano of Land Tech and Richard Altman (the builder) were present. Members were given information regarding the Barcello Subdivision decision and conditions. Mr. Romano presented a revised plan, including reference to a stone/rubble wall that he felt had been on the property for about 12 years. Discussion followed to include the right of way easement that was part of the original subdivision. The Land Use Director will check the deed regarding the easement. Mr. Romano also stated that there would be no blasting in connection with the site preparation. A discussion followed.

Mr. Romano will submit to the Commission proposed conditions to the Commission's approval of the Lot Development Plan. The application will be on the agenda for further consideration at the February 3<sup>rd</sup> meeting.

SPECIAL MEETING

HILL CREST CONT:

Further discussion then occurred regarding the above-mentioned wall, and the Land Use Director will ask the Town Attorney for guidance regarding the legal aspects of a potential approval by the Commission of the Lot Development Plan

DISCUSSION/DECISION: REFERRAL FROM ZONING ENFORCEMENT OFFICER: COBB'S MILL INN, 12 OLD MILL ROAD. APPLICATION FOR A LIQUOR PERMIT (DREW FRIEDMAN)

Todd Bucaro, General Manager of Cobb's Mill and also the permittee, presented the signed application for the liquor permit. Drew Friedman and his wife Laura were also present. The application required a certification from a Zoning Official that the activities contemplated by the application were permissible under the Town's Zoning Regulations. A discussion followed regarding the permissibility under the Regulations of certain activities described in the application. . Interior use of acoustics (not amplified) and live bands appear to be permissible, but no plays or shows are permitted under the Regulations unless Mr. Friedman can show that this activity occurred prior to his ownership of Cobb's Mill. A discussion followed.

With the agreement of the applicant, the Chairman signed the liquor permit application, eliminated plays and shows from the contemplated activities, and limited acoustics and live bands to interior use only.

APPROVAL OF MINUTES:

Jane Connolly moved that the Commission approve the 12/16/13 minutes as edited by Ken Edgar. Don Saltzman seconded. Vote in favor (7-0)

ELECTION OF CHAIRMAN AND VICE CHAIRMAN PURSUANT TO SECTION 6.3(b) OF THE TOWN CHARTER.

Jane Connolly called for a nomination for Chairman. Britta Lerner nominated Tom Failla for the position of Chairman. Seconded by Jim Carlon. Sally Korsh nominated Jane Connolly for the position of Chairman. Seconded by Don Saltzman. The vote was 4 votes (Carlon, Failla, Lerner and Saltzman) for Tom Failla and 3 votes (Connolly, Edgar and Korsh) for Jane Connolly.

Don Saltzman called for a nomination of Jane Connolly for Vice Chairman: Seconded by Sally Korsh. Vote in favor (7-0)

Meeting adjourned.

Respectfully submitted.

Joan Lewis, Administrative Assistant

Approval: Unanimous approval on February 10, 2014